

APR 16 2004
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert Thomas Hudak
Serial No. : 09/915,494
Filed : July 25, 2001
Title : SPECIMEN COLLECTION CONTAINER

Art Unit : 1641
Examiner : Gary W. Counts

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Enclosed are a *Power of Attorney by Assignee* and a *Certificate under 37 CFR §3.73(b)*, including a change of correspondence address and executed assignment, in connection with the above-captioned patent application. Please update your records to reflect the change of attorneys for the above-captioned patent application.

If anything further is required, please do not hesitate to contact the undersigned attorney for the assignee.

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

May 20, 2004

Date of Deposit

Signature

Jennifer L. Sammartin

Typed or Printed Name of Person Signing Certificate

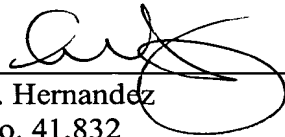
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Attorney's Docket No.: 17072-002001 / 40002-0271



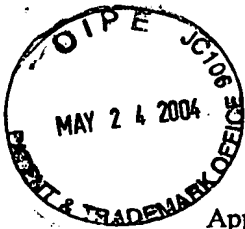
(x) The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 06-1050. A duplicate of this sheet is enclosed.

Respectfully submitted,



Fred C. Hernandez
Reg. No. 41,832

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Fish & Richardson P.C.
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Attorney's Docket No.: 40002-0271
(17072-002001)

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POWER OF ATTORNEY BY ASSIGNEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Revoking any and all powers of attorney and authorizations of agent heretofore made in respect of the above-captioned patent application, the Assignee of the entire interest in this patent application hereby appoints the following as its attorneys, with full power of substitution and revocation, to prosecute the application and to transact all business in the Patent and Trademark Office connected therewith:

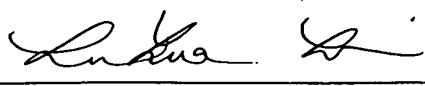
FRED C. HERNANDEZ, Registration No. 41,832; STEPHANIE SEIDMAN, Registration No. 33,779; DALE L. RIEGER, Registration No. 43,045 and SCOTT C. HARRIS, Registration No. 32,030. Direct all telephonic inquiries to Fred C. Hernandez at telephone no. (858) 678-5070.

Address all correspondence to:

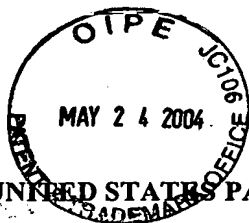
Fred C. Hernandez
FISH & RICHARDSON P.C.
12390 El Camino Real
San Diego, California 92130-2081

OAKVILLE TRADING HONG KONG LIMITED

Date: 04/30/04



Luhau Lin
President



Attorney's Docket No.: 40002-0271
(17072-002001)

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CONTAINER

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


OAKVILLE TRADING HONG KONG LIMITED, a Hong Kong corporation, with a current business address of 9/F Kinwick Centre, Suite 901B, 32 Hollywood Road, Central, Hong Kong, is the Assignee of the entire right, title and interest in the above-captioned patent application by virtue of an Assignment. A copy of the Assignment to OAKVILLE TRADING HONG KONG LIMITED is attached hereto.

The undersigned (whose title is supplied below) is empowered to act on behalf of the Assignee.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

OAKVILLE TRADING HONG KONG LIMITED

Date: 04/30/04



Luhua Lin
President

A S S I G N M E N T

ACON LABORATORIES, INC. (hereinafter Assignor), a corporation organized under the laws of Delaware, having a principal business address of 4108 Sorrento Valley Boulevard, San Diego, California 92121, for good and valuable consideration, have assigned and do hereby assign to OAKVILLE TRADING HONG KONG LIMITED, a corporation organized under the laws of Hong Kong, having a principal business address of 9/F Kinwick Centre, Suite 901B, 32 Hollywood Road, Central, Hong Kong, its successors, assigns and legal representatives, the entire right, title and interest in and to all subject matter disclosed in the Letters Patent of the United States Patent Application No. 09/915,494, entitled:

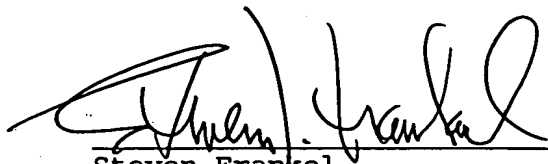
SPECIMEN COLLECTION CONTAINER

which was filed on July 25, 2001; and in and to all Convention and Treaty rights of all kinds, in all countries throughout the world, for all such subject matter, including the right to claim for any such applications any priority rights to which such applications are entitled under international conventions, treaties or otherwise and, in and to, all Letters Patent to be obtained for said subject matter by the above application or any continuation, division, continuation-in-part, extension, conversion to 35 USC 111(b) or substitute thereof, and any reissue, reexamination or extension of said Letters Patent.

Assignor agrees to do all acts and sign all documents necessary to secure, defend and maintain all said Letters Patent and rights, including any continuations, divisionals, reissues, renewals and extensions, and request issuance of all said Letters Patent to the above Assignee in accordance with this assignment.

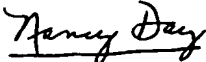
DATE:

4-29-04



Steven Frankel

President of Acon Laboratories



Subscribing Witness

STATE OF California)

) SS.

COUNTY OF San Diego)

On 30 April 2004, before me, the undersigned, a notary public for the State of California, personally appeared STEVEN FRANKEL (PRESIDENT OF ACON LABORATORIES, INC.) personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he/she executed the same in his/her authorized capacity and that by his/her signature on the instrument the person or the entity upon behalf of which the person acted executed the instrument.

WITNESS my hand and official seal.



Notary Public

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